



## DEPARTMENT OF EDUCATION

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PUBLIC INSTRUCTION

### **STATE GUIDANCE**

**To:** Summer Food Program, Directors/Operators  
**From:** Lynda Westphal, B.S., Specialist  
**Date:** March 24, 2005  
**Subject:** Seamless Summer Option Question and Answer Guidance SY2005  
**Policy Memo SFSP-05-05**

As authorized by the Child Nutrition and WIC Reauthorization Act of 2004 (Public Law 108-265), the Richard B. Russell National School Lunch Act was amended to permanently allow public and private nonprofit school food authorities (SFAs) participating in the National School Lunch Program (NSLP) or School Breakfast Program (SBP) to operate the Seamless Summer Option. The NSLP and SBP regulations (7 CFR Parts 210 and 220, respectively) are being revised to incorporate the Seamless Summer Option into the school meal programs. We expect to publish an interim rule with an extended comment period.

State agencies should continue to follow the FY 2004 procedures, except as otherwise noted in this guidance. Attached for your use and dissemination is the "Seamless Summer Option: Questions and Answers for State Agencies and School Districts". Although subject to change, we anticipate the NSLP and SBP regulations will reflect the guidance provided.

In order to maintain consistency with the NSLP/SBP, changes from previous guidance on redetermination of site eligibility, site monitoring by SFAs and determination of Severe Need Breakfast and \$0.02 differential during the regular school year have been made. These changes are reflected in Questions 15, 36 and 47 of the attached guidance.

Several new questions have been added to the attached guidance to reflect certain aspects of the FY 2004 Seamless Summer Feeding Waiver Application Prototype. A waiver prototype application is not provided for FY 2005 as the Seamless Summer Option is no longer a "waiver". State agencies will need to amend their existing NSLP/SBP agreements and/or applications to include seamless summer as an option for SFAs. SFAs must have a written agreement with the State agency to administer the Seamless Summer Option.

For further information call the Child Nutrition Division at 208-332-6821